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THE SITUATION IN THE OCCUPIED TERRITORIES OF CROATIA

Letter dated 4 January 1995 from the Chargé d'affaires a.i. of the Permanent Mission of Yugoslavia to the United Nations addressed to the Secretary-General

I am writing to you concerning the letter dated 19 December 1994 addressed to you by the Permanent Representative of Croatia to the United Nations (A/49/797), and, upon instructions of my Government, I have the honour to put forward the following positions of the Government of the Federal Republic of Yugoslavia.

The letter of the Permanent Representative of Croatia contains a series of untruths, false allegations and tendentious interpretations, which portray the Government of Croatia as not being interested in pursuing a peaceful and constructive resolution of the conflicts in the former Socialist Federal Republic of Yugoslavia but instead as continuing a policy of confrontation against the Federal Republic of Yugoslavia and the demonization of the Serb people as a whole.

The statement put forward by the Croatian representative that "the Security Council on numerous occasions recognized the military involvement of the 'Federal Republic of Yugoslavia (Serbia and Montenegro)' in Croatia by, inter alia, linking the sanctions regime imposed against the 'Federal Republic of Yugoslavia (Serbia and Montenegro)', to the situation in the areas under Serb control in Croatia" is absolutely untrue and is a cardinal example of a false interpretation of the facts. The sanctions regime that has been unjustly imposed against the Federal Republic of Yugoslavia, and in particular Security Council resolutions 757 (1992) of 30 May 1992, 787 (1992) of 16 November 1992 and 820 (1993) of 17 April 1993, have strictly been connected solely to the situation in Bosnia and Herzegovina. The Federal Republic of Yugoslavia has fulfilled all the obligations put forward in those resolutions, which has been clearly evinced by the Secretary-General in his reports. Since 4 August 1994, the Federal Republic of Yugoslavia severed all political and economic links with the Bosnian Serb leadership, apart from humanitarian assistance in food,

clothing and medicine. That the Federal Republic of Yugoslavia has been consistently abiding by this decision, which it reached unilaterally, has been fully confirmed by the monthly reports of the Co-Chairman of the Steering Committee of the International Conference on the former Yugoslavia on the operations of the International Conference's Mission to the Federal Republic of Yugoslavia (Serbia and Montenegro).

The Federal Republic of Yugoslavia considers that the political status of the Krajina region, which is under the protection of the United Nations, should be resolved through negotiations between the parties on the basis of the Vance plan. The present attempt by the Croatian authorities to define the status of Krajina contrary to the Vance plan, which Croatia itself has accepted, can only take us further from the attainment of the only possible solution, a political one. The Federal Republic of Yugoslavia, for its part, has invested efforts towards a political and negotiated solution to the conflict. It has consistently advocated that a phased, step-by-step resolution of this conflict is the most viable. After the establishment of a cease-fire, the Federal Republic of Yugoslavia gave its support to the resumption of negotiations on economic matters between the Zagreb and Knin authorities. In this context, Yugoslavia fully supports the accord that has been signed on economic relations between Krajina and Croatia (see S/1994/1375, appendix 1), which paves the way for the resumption of negotiations on an overall political settlement. The Federal Republic of Yugoslavia would naturally accept any solution freely agreed to by the parties.

The attempt by the Permanent Representative of Croatia to present as a total fabrication the Federal Republic of Yugoslavia's concerns about the forced conversion of Serb children to the Catholic faith in the Republic of Croatia is outrageous and a prime example of bigotry. According to the data presented in the Sabor (Parliament) of the Republic of Croatia, about 10,000 Orthodox children have been converted to Catholicism. Most of the clergy of the Serbian Orthodox church have been expelled from Croatia, including five of its bishops. They are not allowed by the Croatian authorities to return to Croatia, but even if they were, neither the bishops nor the priests would have a place to return to, as many Orthodox churches and parish residences have been destroyed. Even the Serbian Orthodox Church Museum in Zagreb, with exhibits dating from the 13th to the 16th century, was blown up.

The acceptance and even promotion of these vile acts by the Croatian authorities can certainly lead to stirring up religious hatred and intolerance, for which the Croatian representative has attempted to put the blame on the Federal Republic of Yugoslavia.

The statement that Yugoslavia is not a State Member of the United Nations is completely absurd and is in direct contradiction to the opinion of the United Nations Legal Counsel contained in document A/47/485, which states that General Assembly resolution 47/1 of 22 September 1992 "neither terminates nor suspends Yugoslavia's membership in the Organization ... Yugoslav missions at United Nations Headquarters and offices may continue to function and may receive and circulate documents". The effort by the Croatian representative to prevent the Federal Republic of Yugoslavia from doing so is nothing short of an attempt to

pre-empt criticism of its unacceptable behaviour and its lack of will to secure a political and negotiated settlement.

I should be grateful if you would have the present letter circulated as a document of the General Assembly under the item entitled "The situation in the occupied territories of Croatia".

(Signed) Dragomir DJOKIC
Ambassador
Chargé d'affaires a.i.

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GENERAL ASSEMBLY
Fiftieth session
REPORT OF THE SECRETARY-GENERAL ON
THE WORK OF THE ORGANIZATION

SECURITY COUNCIL
Fiftieth year

SUPPLEMENT TO AN AGENDA FOR PEACE: POSITION PAPER OF THE SECRETARY-GENERAL ON THE OCCASION OF THE FIFTIETH ANNIVERSARY OF THE UNITED NATIONS

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I. INTRODUCTION

1. On 31 January 1992, the Security Council met for the first time at the level of heads of State or Government. The cold war had ended. It was a time of hope and change and of rising expectations for - and of - the United Nations. The members of the Council asked me to prepare an "analysis and recommendations on ways of strengthening and making more efficient within the framework and provisions of the Charter the capacity of the United Nations for preventive diplomacy, for peacemaking and for peace-keeping" (see S/23500). Five months later, in June 1992, I submitted my report entitled "An Agenda for Peace" (A/47/277-S/24111). It dealt with the three problems the Council had requested me to consider, to which I added the related concept of post-conflict peace-building. It also touched on peace enforcement.

2. In submitting my recommendations on how to improve the Organization's capacity to maintain peace and security, I said that the search for improved mechanisms and techniques would be of little significance unless the new spirit of commonality that had emerged, of which the Summit was such a clear manifestation, was "propelled by the will to take the hard decisions demanded by this time of opportunity" (ibid., para. 6).

3. Subsequent discussion of "An Agenda for Peace" in the General Assembly, in the Security Council and in Member States' parliaments established that there was general support for the recommendations I had put forward. That discussion, and the new process initiated in 1994 for the elaboration of "An Agenda for Development" (see A/48/935), have also served to advance international consensus on the crucial importance of economic and social development as the most secure basis for lasting peace.

4. Since the Security Council Summit the pace has accelerated. There have been dramatic changes in both the volume and the nature of the United Nations activities in the field of peace and security. New and more comprehensive concepts to guide those activities, and their links with development work, are emerging. Old concepts are being modified. There have been successes and there have been failures. The Organization has attracted intense media interest, often laudatory, more often critical, and all too often focused on only one or two of the many peace-keeping operations in which it is engaged, overshadowing other major operations and its vast effort in the economic, social and other fields.

5. All this confirms that we are still in a time of transition. The end of the cold war was a major movement of tectonic plates and the after-shocks continue to be felt. But even if the ground beneath our feet has not yet settled, we still live in a new age that holds great promise for both peace and development.

6. Our ability to fulfil that promise depends on how well we can learn the lessons of the Organization's successes and failures in these first years of the post-cold-war age. Most of the ideas in "An Agenda for Peace" have proved themselves. A few have not been taken up. The purpose of the present position paper, however, is not to revise "An Agenda for Peace" nor to call into question

structures and procedures that have been tested by time. Even less is it intended to be a comprehensive treatise on the matters it discusses. Its purpose is, rather, to highlight selectively certain areas where unforeseen, or only partly foreseen, difficulties have arisen and where there is a need for the Member States to take the "hard decisions" I referred to two and a half years ago.

7. The Organization's half-century year will provide the international community an opportunity to address these issues, and the related, major challenge of elaborating "An Agenda for Development", and to indicate in a comprehensive way the direction the Member States want the Organization to take. The present position paper is offered as a contribution to the many debates I hope will take place during 1995 and perhaps beyond, inside and outside the intergovernmental bodies, about the current performance and future role of our Organization.

II. QUANTITATIVE AND QUALITATIVE CHANGES

8. It is indisputable that since the end of the cold war there has been a dramatic increase in the United Nations activities related to the maintenance of peace and security. The figures speak for themselves. The following table gives them for three dates: 31 January 1988 (when the cold war was already coming to an end); 31 January 1992 (the date of the first Security Council Summit); and today, on the eve of the fiftieth anniversary of the United Nations.

9. This increased volume of activity would have strained the Organization even if the nature of the activity had remained unchanged. It has not remained unchanged, however: there have been qualitative changes even more significant than the quantitative ones.

10. One is the fact that so many of today's conflicts are within States rather than between States. The end of the cold war removed constraints that had inhibited conflict in the former Soviet Union and elsewhere. As a result there has been a rash of wars within newly independent States, often of a religious or ethnic character and often involving unusual violence and cruelty. The end of the cold war seems also to have contributed to an outbreak of such wars in Africa. In addition, some of the proxy wars fuelled by the cold war within States remain unresolved. Inter-state wars, by contrast, have become infrequent.

11. Of the five peace-keeping operations that existed in early 1988, four related to inter-state wars and only one (20 per cent of the total) to an intra-state conflict. Of the 21 operations established since then, only 8 have related to inter-state wars, whereas 13 (62 per cent) have related to intra-state conflicts, though some of them, especially those in the former Yugoslavia, have some inter-state dimensions also. Of the 11 operations established since January 1992 all but 2 (82 per cent) relate to intra-state conflicts.

Table. Some statistics on United Nations activities related to peace and security, 1988 to 1994

	As at 31 January 1988	As at 31 January 1992	As at 16 December 1994
Security Council resolutions adopted in the preceding 12 months	15	53	78
Disputes and conflicts in which the United Nations was actively involved in preventive diplomacy or peacemaking in the preceding 12 months	11	13	28
Peace-keeping operations deployed			
Total	5	11	17
Classical	5	7	9
Multifunctional	-	4	8
Military personnel deployed	9 570	11 495	73 393
Civilian police deployed	35	155	2 130
International civilian personnel deployed	1 516	2 206	2 260
Countries contributing military and police personnel	26	56	76
United Nations budget for peace-keeping operations (on an annual basis) (millions of United States dollars)	230.4	1 689.6	3 610.0 a/
Countries in which the United Nations had undertaken electoral activities in the preceding 12 months	-	6	21
Sanctions regimes imposed by the Security Council	1	2	7

a/ Projected.

12. The new breed of intra-state conflicts have certain characteristics that present United Nations peace-keepers with challenges not encountered since the Congo operation of the early 1960s. They are usually fought not only by regular armies but also by militias and armed civilians with little discipline and with ill-defined chains of command. They are often guerrilla wars without clear front lines. Civilians are the main victims and often the main targets. Humanitarian emergencies are commonplace and the combatant authorities, in so far as they can be called authorities, lack the capacity to cope with them. The number of refugees registered with the Office of the United Nations High Commissioner for Refugees (UNHCR) has increased from 13 million at the end of 1987 to 26 million at the end of 1994. The number of internally displaced persons has increased even more dramatically.

13. Another feature of such conflicts is the collapse of state institutions, especially the police and judiciary, with resulting paralysis of governance, a breakdown of law and order, and general banditry and chaos. Not only are the functions of government suspended, its assets are destroyed or looted and experienced officials are killed or flee the country. This is rarely the case in inter-state wars. It means that international intervention must extend beyond military and humanitarian tasks and must include the promotion of national reconciliation and the re-establishment of effective government.

14. The latter are tasks that demand time and sensitivity. The United Nations is, for good reasons, reluctant to assume responsibility for maintaining law and order, nor can it impose a new political structure or new state institutions. It can only help the hostile factions to help themselves and begin to live together again. All too often it turns out that they do not yet want to be helped or to resolve their problems quickly.

15. Peace-keeping in such contexts is far more complex and more expensive than when its tasks were mainly to monitor cease-fires and control buffer zones with the consent of the States involved in the conflict. Peace-keeping today can involve constant danger.

16. I cannot praise too highly or adequately express my gratitude and admiration for the courage and sacrifice of United Nations personnel, military and civil, in this new era of challenge to peace and security. The conditions under which they serve are often extremely harsh. Many have given their lives. Many must persevere despite the loss of family members and friends.

17. It must also be recognized that the vast increase in field deployment has to be supported by an overburdened Headquarters staff that resource constraints have held at levels appropriate to an earlier, far less demanding, time.

18. A second qualitative change is the use of United Nations forces to protect humanitarian operations. Humanitarian agencies endeavour to provide succour to civilian victims of war wherever they may be. Too often the warring parties make it difficult or impossible for them to do so. This is sometimes because of the exigencies of war but more often because the relief of a particular population is contrary to the war aims of one or other of the parties. There is also a growing tendency for the combatants to divert relief supplies for their own purposes. Because the wars are intra-state conflicts, the humanitarian

agencies often have to undertake their tasks in the chaotic and lawless conditions described above. In some, but not all, such cases the resulting horrors explode on to the world's television screens and create political pressure for the United Nations to deploy troops to facilitate and protect the humanitarian operations. While such images can help build support for humanitarian action, such scenes also may create an emotional environment in which effective decision-making can be far more difficult.

19. This has led, in Bosnia and Herzegovina and in Somalia, to a new kind of United Nations operation. Even though the use of force is authorized under Chapter VII of the Charter, the United Nations remains neutral and impartial between the warring parties, without a mandate to stop the aggressor (if one can be identified) or impose a cessation of hostilities. Nor is this peace-keeping as practised hitherto, because the hostilities continue and there is often no agreement between the warring parties on which a peace-keeping mandate can be based. The "safe areas" concept in Bosnia and Herzegovina is a similar case. It too gives the United Nations a humanitarian mandate under which the use of force is authorized, but for limited and local purposes and not to bring the war to an end.

20. A third change has been in the nature of United Nations operations in the field. During the cold war United Nations peace-keeping operations were largely military in character and were usually deployed after a cease-fire but before a settlement of the conflict in question had been negotiated. Indeed one of their main purposes was to create conditions in which negotiations for a settlement could take place. In the late 1980s a new kind of peace-keeping operation evolved. It was established after negotiations had succeeded, with the mandate of helping the parties implement the comprehensive settlement they had negotiated. Such operations have been deployed in Namibia, Angola, El Salvador, Cambodia and Mozambique. In most cases they have been conspicuously successful.

21. The negotiated settlements involved not only military arrangements but also a wide range of civilian matters. As a result, the United Nations found itself asked to undertake an unprecedented variety of functions: the supervision of cease-fires, the regroupment and demobilization of forces, their reintegration into civilian life and the destruction of their weapons; the design and implementation of de-mining programmes; the return of refugees and displaced persons; the provision of humanitarian assistance; the supervision of existing administrative structures; the establishment of new police forces; the verification of respect for human rights; the design and supervision of constitutional, judicial and electoral reforms; the observation, supervision and even organization and conduct of elections; and the coordination of support for economic rehabilitation and reconstruction.

22. Fourthly, these multifunctional peace-keeping operations have highlighted the role the United Nations can play after a negotiated settlement has been implemented. It is now recognized that implementation of the settlement in the time prescribed may not be enough to guarantee that the conflict will not revive. Coordinated programmes are required, over a number of years and in various fields, to ensure that the original causes of war are eradicated. This involves the building up of national institutions, the promotion of human rights, the creation of civilian police forces and other actions in the

political field. As I pointed out in "An Agenda for Development" (A/48/935), only sustained efforts to resolve underlying socio-economic, cultural and humanitarian problems can place an achieved peace on a durable foundation.

III. INSTRUMENTS FOR PEACE AND SECURITY

23. The United Nations has developed a range of instruments for controlling and resolving conflicts between and within States. The most important of them are preventive diplomacy and peacemaking; peace-keeping; peace-building; disarmament; sanctions; and peace enforcement. The first three can be employed only with the consent of the parties to the conflict. Sanctions and enforcement, on the other hand, are coercive measures and thus, by definition, do not require the consent of the party concerned. Disarmament can take place on an agreed basis or in the context of coercive action under Chapter VII.

24. The United Nations does not have or claim a monopoly of any of these instruments. All can be, and most of them have been, employed by regional organizations, by ad hoc groups of States or by individual States, but the United Nations has unparalleled experience of them and it is to the United Nations that the international community has turned increasingly since the end of the cold war. The United Nations system is also better equipped than regional organizations or individual Member States to develop and apply the comprehensive, long-term approach needed to ensure the lasting resolution of conflicts.

25. Perceived shortcomings in the United Nations performance of the tasks entrusted to it have recently, however, seemed to incline Member States to look for other means, especially, but not exclusively, where the rapid deployment of large forces is required. It is thus necessary to find ways of enabling the United Nations to perform better the roles envisaged for it in the Charter.

A. Preventive diplomacy and peacemaking

26. It is evidently better to prevent conflicts through early warning, quiet diplomacy and, in some cases, preventive deployment than to have to undertake major politico-military efforts to resolve them after they have broken out. The Security Council's declaration of 31 January 1992 (S/23500) mandated me to give priority to preventive and peacemaking activities. I accordingly created a Department of Political Affairs to handle a range of political functions that had previously been performed in various parts of the Secretariat. That Department has since passed through successive phases of restructuring and is now organized to follow political developments worldwide, so that it can provide early warning of impending conflicts and analyse possibilities for preventive action by the United Nations, as well as for action to help resolve existing conflicts.

27. Experience has shown that the greatest obstacle to success in these endeavours is not, as is widely supposed, lack of information, analytical capacity or ideas for United Nations initiatives. Success is often blocked at the outset by the reluctance of one or other of the parties to accept United

Nations help. This is as true of inter-state conflicts as it is of internal ones, even though United Nations action on the former is fully within the Charter, whereas in the latter case it must be reconciled with Article 2, paragraph 7.

28. Collectively Member States encourage the Secretary-General to play an active role in this field; individually they are often reluctant that he should do so when they are a party to the conflict. It is difficult to know how to overcome this reluctance. Clearly the United Nations cannot impose its preventive and peacemaking services on Member States who do not want them. Legally and politically their request for, or at least acquiescence in, United Nations action is a sine qua non. The solution can only be long-term. It may lie in creating a climate of opinion, or ethos, within the international community in which the norm would be for Member States to accept an offer of United Nations good offices.

29. There are also two practical problems that have emerged in this field. Given Member States' frequently expressed support for preventive diplomacy and peacemaking, I take this opportunity to recommend that early action be taken to resolve them.

30. The first is the difficulty of finding senior persons who have the diplomatic skills and who are willing to serve for a while as special representative or special envoy of the Secretary-General. As a result of the streamlining of the senior levels of the Secretariat, the extra capacity that was there in earlier years no longer exists.

31. The second problem relates to the establishment and financing of small field missions for preventive diplomacy and peacemaking. Accepted and well-tried procedures exist for such action in the case of peace-keeping operations. The same is required in the preventive and peacemaking field. Although special envoys can achieve much on a visiting basis, their capacity is greatly enhanced if continuity can be assured by the presence on the ground of a small support mission on a full-time basis. There is no clear view amongst Member States about whether legislative authority for such matters rests with the Security Council or the General Assembly, nor are existing budgetary procedures well-geared to meet this need.

32. Two solutions are possible. The first is to include in the regular budget a contingency provision, which might be in the range of $25 million per biennium, for such activities. The second would be to enlarge the existing provision for unforeseen and extraordinary activities and to make it available for all preventive and peacemaking activities, not just those related to international peace and security strictly defined.

B. Peace-keeping

33. The United Nations can be proud of the speed with which peace-keeping has evolved in response to the new political environment resulting from the end of the cold war, but the last few years have confirmed that respect for certain basic principles of peace-keeping are essential to its success. Three

particularly important principles are the consent of the parties, impartiality and the non-use of force except in self-defence. Analysis of recent successes and failures shows that in all the successes those principles were respected and in most of the less successful operations one or other of them was not.

34. There are three aspects of recent mandates that, in particular, have led peace-keeping operations to forfeit the consent of the parties, to behave in a way that was perceived to be partial and/or to use force other than in self-defence. These have been the tasks of protecting humanitarian operations during continuing warfare, protecting civilian populations in designated safe areas and pressing the parties to achieve national reconciliation at a pace faster than they were ready to accept. The cases of Somalia and Bosnia and Herzegovina are instructive in this respect.

35. In both cases, existing peace-keeping operations were given additional mandates that required the use of force and therefore could not be combined with existing mandates requiring the consent of the parties, impartiality and the non-use of force. It was also not possible for them to be executed without much stronger military capabilities than had been made available, as is the case in the former Yugoslavia. In reality, nothing is more dangerous for a peace-keeping operation than to ask it to use force when its existing composition, armament, logistic support and deployment deny it the capacity to do so. The logic of peace-keeping flows from political and military premises that are quite distinct from those of enforcement; and the dynamics of the latter are incompatible with the political process that peace-keeping is intended to facilitate. To blur the distinction between the two can undermine the viability of the peace-keeping operation and endanger its personnel.

36. International problems cannot be solved quickly or within a limited time. Conflicts the United Nations is asked to resolve usually have deep roots and have defied the peacemaking efforts of others. Their resolution requires patient diplomacy and the establishment of a political process that permits, over a period of time, the building of confidence and negotiated solutions to long-standing differences. Such processes often encounter frustrations and set-backs and almost invariably take longer than hoped. It is necessary to resist the temptation to use military power to speed them up. Peace-keeping and the use of force (other than in self-defence) should be seen as alternative techniques and not as adjacent points on a continuum, permitting easy transition from one to the other.

37. In peace-keeping, too, a number of practical difficulties have arisen during the last three years, especially relating to command and control, to the availability of troops and equipment, and to the information capacity of peace-keeping operations.

38. As regards command and control, it is useful to distinguish three levels of authority:

(a) Overall political direction, which belongs to the Security Council;

(b) Executive direction and command, for which the Secretary-General is responsible;

(c) Command in the field, which is entrusted by the Secretary-General to the chief of mission (special representative or force commander/chief military observer).

The distinctions between these three levels must be kept constantly in mind in order to avoid any confusion of functions and responsibilities. It is as inappropriate for a chief of mission to take upon himself the formulation of his/her mission's overall political objectives as it is for the Security Council or the Secretary-General in New York to decide on matters that require a detailed understanding of operational conditions in the field.

39. There has been an increasing tendency in recent years for the Security Council to micro-manage peace-keeping operations. Given the importance of the issues at stake and the volume of resources provided for peace-keeping operations, it is right and proper that the Council should wish to be closely consulted and informed. Procedures for ensuring this have been greatly improved. To assist the Security Council in being informed about the latest developments I have appointed one of my Special Advisers as my personal representative to the Council. As regards information, however, it has to be recognized that, in the inevitable fog and confusion of the near-war conditions in which peace-keepers often find themselves, as for example in Angola, Cambodia, Somalia and the former Yugoslavia, time is required to verify the accuracy of initial reports. Understandably, chiefs of mission have to be more restrained than the media in broadcasting facts that have not been fully substantiated.

40. Troop-contributing Governments, who are responsible to their parliaments and electorates for the safety of their troops, are also understandably anxious to be kept fully informed, especially when the operation concerned is in difficulty. I have endeavoured to meet their concerns by providing them with regular briefings and by engaging them in dialogue about the conduct of the operation in question. Members of the Security Council have been included in such meetings and the Council has recently decided to formalize them. It is important that this should not lead to any blurring of the distinct levels of authority referred to above.

41. Another important principle is unity of command. The experience in Somalia has underlined again the necessity for a peace-keeping operation to function as an integrated whole. That necessity is all the more imperative when the mission is operating in dangerous conditions. There must be no opening for the parties to undermine its cohesion by singling out some contingents for favourable and others for unfavourable treatment. Nor must there be any attempt by troop-contributing Governments to provide guidance, let alone give orders, to their contingents on operational matters. To do so creates division within the force, adds to the difficulties already inherent in a multinational operation and increases the risk of casualties. It can also create the impression amongst the parties that the operation is serving the policy objectives of the contributing Governments rather than the collective will of the United Nations as formulated by the Security Council. Such impressions inevitably undermine an operation's legitimacy and effectiveness.

42. That said, commanders in the field are, as a matter of course, instructed to consult the commanders of national contingents and make sure that they understand the Security Council's overall approach, as well as the role assigned to their contingents. However, such consultations cannot be allowed to develop into negotiations between the commander in the field and the troop-contributing Governments, whose negotiating partner must always be the Secretariat in New York.

43. As regards the availability of troops and equipment, problems have become steadily more serious. Availability has palpably declined as measured against the Organization's requirements. A considerable effort has been made to expand and refine stand-by arrangements, but these provide no guarantee that troops will be provided for a specific operation. For example, when in May 1994 the Security Council decided to expand the United Nations Assistance Mission for Rwanda (UNAMIR), not one of the 19 Governments that at that time had undertaken to have troops on stand-by agreed to contribute.

44. In these circumstances, I have come to the conclusion that the United Nations does need to give serious thought to the idea of a rapid reaction force. Such a force would be the Security Council's strategic reserve for deployment when there was an emergency need for peace-keeping troops. It might comprise battalion-sized units from a number of countries. These units would be trained to the same standards, use the same operating procedures, be equipped with integrated communications equipment and take part in joint exercises at regular intervals. They would be stationed in their home countries but maintained at a high state of readiness. The value of this arrangement would of course depend on how far the Security Council could be sure that the force would actually be available in an emergency. This will be a complicated and expensive arrangement, but I believe that the time has come to undertake it.

45. Equipment and adequate training is another area of growing concern. The principle is that contributing Governments are to ensure that their troops arrive with all the equipment needed to be fully operational. Increasingly, however, Member States offer troops without the necessary equipment and training. In the absence of alternatives, the United Nations, under pressure, has to procure equipment on the market or through voluntary contributions from other Member States. Further time is required for the troops concerned to learn to operate the equipment, which they are often encountering for the first time. A number of measures can be envisaged to address this problem, for example, the establishment by the United Nations of a reserve stock of standard peace-keeping equipment, as has been frequently proposed, and partnerships between Governments that need equipment and those ready to provide it.

46. An additional lesson from recent experience is that peace-keeping operations, especially those operating in difficult circumstances, need an effective information capacity. This is to enable them to explain their mandate to the population and, by providing a credible and impartial source of information, to counter misinformation disseminated about them, even by the parties themselves. Radio is the most effective medium for this purpose. In all operations where an information capacity, including radio, has been provided, even if late in the day, it has been recognized to have made an invaluable contribution to the operation's success. I have instructed that in

the planning of future operations the possible need for an information capacity should be examined at an early stage and the necessary resources included in the proposed budget.

C. Post-conflict peace-building

47. The validity of the concept of post-conflict peace-building has received wide recognition. The measures it can use - and they are many - can also support preventive diplomacy. Demilitarization, the control of small arms, institutional reform, improved police and judicial systems, the monitoring of human rights, electoral reform and social and economic development can be as valuable in preventing conflict as in healing the wounds after conflict has occurred.

48. The implementation of post-conflict peace-building can, however, be complicated. It requires integrated action and delicate dealings between the United Nations and the parties to the conflict in respect of which peace-building activities are to be undertaken.

49. Two kinds of situation deserve examination. The first is when a comprehensive settlement has been negotiated, with long-term political, economic and social provisions to address the root causes of the conflict, and verification of its implementation is entrusted to a multifunctional peace-keeping operation. The second is when peace-building, whether preventive or post-conflict, is undertaken in relation to a potential or past conflict without any peace-keeping operation being deployed. In both situations the essential goal is the creation of structures for the institutionalization of peace.

50. The first situation is the easier to manage. The United Nations already has an entrée. The parties have accepted its peacemaking and peace-keeping role. The peace-keeping operation will already be mandated to launch various peace-building activities, especially the all-important reintegration of former combatants into productive civilian activities.

51. Even so, political elements who dislike the peace agreement concluded by their Government (and the United Nations verification provided for therein) may resent the United Nations presence and be waiting impatiently for it to leave. Their concerns may find an echo among Member States who fear that the United Nations is in danger of slipping into a role prejudicial to the sovereignty of the country in question and among others who may be uneasy about the resource implications of a long-term peace-building commitment.

52. The timing and modalities of the departure of the peace-keeping operation and the transfer of its peace-building functions to others must therefore be carefully managed in the fullest possible consultation with the Government concerned. The latter's wishes must be paramount; but the United Nations, having invested much effort in helping to end the conflict, can legitimately express views and offer advice about actions the Government could take to reduce the danger of losing what has been achieved. The timing and modalities also

need to take into account any residual verification for which the United Nations remains responsible.

53. Most of the activities that together constitute peace-building fall within the mandates of the various programmes, funds, offices and agencies of the United Nations system with responsibilities in the economic, social, humanitarian and human rights fields. In a country ruined by war, resumption of such activities may initially have to be entrusted to, or at least coordinated by, a multifunctional peace-keeping operation, but as that operation succeeds in restoring normal conditions, the programmes, funds, offices and agencies can re-establish themselves and gradually take over responsibility from the peace-keepers, with the resident coordinator in due course assuming the coordination functions temporarily entrusted to the special representative of the Secretary-General.

54. It may also be necessary in such cases to arrange the transfer of decision-making responsibility from the Security Council, which will have authorized the mandate and deployment of the peace-keeping operation, to the General Assembly or other inter-governmental bodies with responsibility for the civilian peace-building activities that will continue. The timing of this transfer will be of special interest to certain Member States because of its financial implications. Each case has to be decided on its merits, the guiding principle being that institutional or budgetary considerations should not be allowed to imperil the continuity of the United Nations efforts in the field.

55. The more difficult situation is when post-conflict (or preventive) peace-building activities are seen to be necessary in a country where the United Nations does not already have a peacemaking or peace-keeping mandate. Who then will identify the need for such measures and propose them to the Government? If the measures are exclusively in the economic, social and humanitarian fields, they are likely to fall within the purview of the resident coordinator. He or she could recommend them to the Government. Even if the resident coordinator has the capacity to monitor and analyse all the indicators of an impending political and security crisis, however, which is rarely the case, can he or she act without inviting the charge of exceeding his or her mandate by assuming political functions, especially if the proposed measures relate to areas such as security, the police or human rights?

56. In those circumstances, the early warning responsibility has to lie with United Nations Headquarters, using all the information available to it, including reports of the United Nations Development Programme (UNDP) resident coordinator and other United Nations personnel in the country concerned. When analysis of that information gives warning of impending crisis, the Secretary-General, acting on the basis of his general mandate for preventive diplomacy, peacemaking and peace-building, can take the initiative of sending a mission, with the Government's agreement, to discuss with it measures it could usefully take.

D. Disarmament

57. At their Summit on 31 January 1992, the members of the Security Council underscored their interest in and concern for disarmament, arms control and non-proliferation, with special reference to weapons of mass destruction. They committed themselves to taking concrete steps to enhance the effectiveness of the United Nations in those areas.

58. Considerable progress has been made since January 1992. The moratorium on nuclear testing continues to be largely observed. The Conference on Disarmament has finally decided to begin negotiations on a comprehensive test-ban treaty. The General Assembly has recommended the negotiation of a treaty to ban the production of fissile material. Efforts are under way to strengthen the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction (resolution 2826 (XXVI), annex), ratified by 131 countries, through development of verification mechanisms. The Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction, 1/ has been signed by 159 countries, but has not yet entered into force, pending ratification by the required 65 signatories. There have been some important accessions to the Treaty on the Non-Proliferation of Nuclear Weapons (resolution 2373 (XXII), annex).

59. I attach special importance to a successful conclusion of the forthcoming conference of the parties to the Non-Proliferation Treaty. It is also of great importance that the Chemical Weapons Convention enter into force as soon as possible. The momentum in all these areas needs to be maintained. Ways have to be found for reconciling transfer of technology with measures necessary to prevent its misuse for military purposes.

60. These issues are of paramount importance both to the security of humankind and to the release of economic, scientific and technological resources for peace and human progress. In the present paper, however, devoted as it is to the Organization's recent experience in handling specific conflicts, I wish to concentrate on what might be called "micro-disarmament". By this I mean practical disarmament in the context of the conflicts the United Nations is actually dealing with and of the weapons, most of them light weapons, that are actually killing people in the hundreds of thousands.

61. The contemporary significance of micro-disarmament is demonstrated by the enormous proliferation of automatic assault weapons, anti-personnel mines and the like. Competent authorities have estimated that billions of dollars are being spent yearly on light weapons, representing nearly one third of the world's total arms trade. Many of those weapons are being bought, from developed countries, by developing countries that can least afford to dissipate their precious and finite assets for such purposes, and the volume of the trade in light weapons is far more alarming than the monetary cost might lead one to suspect.

62. Micro-disarmament plays an important part in conjunction with all the other techniques discussed in the present paper. The assembly, control and disposal of weapons has been a central feature of most of the comprehensive peace

settlements in which the United Nations has played a peace-keeping role. As a result, the Organization has an unrivalled experience in this field. Micro-disarmament is equally relevant to post-conflict peace-building: Nicaragua has shown what can be achieved through imaginative programmes to mop up large numbers of small arms circulating in a country emerging from a long civil war. Disarmament can also follow enforcement action, as has been demonstrated in Iraq, where the United Nations Special Commission has played a pioneering role in practical disarmament, in this case involving weapons of mass destruction. All the sanctions regimes include an arms embargo and experience has confirmed the difficulty of monitoring cross-border arms flows into countries at war with their neighbours or within their own borders.

63. There are two categories of light weapons that merit special attention. The first is small arms, which are probably responsible for most of the deaths in current conflicts. The world is awash with them and traffic in them is very difficult to monitor, let alone intercept. The causes are many: the earlier supply of weapons to client States by the parties to the cold war, internal conflicts, competition for commercial markets, criminal activity and the collapse of governmental law and order functions (which both gives free rein to the criminals and creates a legitimate reason for ordinary citizens to acquire weapons for their own defence). A pilot advisory mission I dispatched to Mali in August 1994 at the request of that country's Government has confirmed the exceptional difficulty of controlling the illicit flow of small arms, a problem that can be effectively tackled only on a regional basis. It will take a long time to find effective solutions. I believe strongly that the search should begin now.

64. Secondly, there is the proliferation of anti-personnel mines. One of the positive developments in recent years has been the attention this problem has attracted. The international community has begun to address it. Current efforts in the context of the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects 2/ are giving priority to anti-personnel mines and the General Assembly's call for a moratorium on their export has won much support from manufacturing countries. In addition, the International Committee of the Red Cross (ICRC) is developing new protocols to the Convention. Meanwhile work continues to try to deal with the approximately 110 million land-mines that have already been laid. This is an issue that must continue to receive priority attention. The Register of Conventional Arms is important in these endeavours. It is essential that the Register be developed into a universal and non-discriminatory mechanism.

65. Progress since 1992 in the area of weapons of mass destruction and major weapons systems must be followed by parallel progress in conventional arms, particularly with respect to light weapons. It will take a long time to find effective solutions. I believe strongly that the search should begin now, and I intend to play my full part in this effort.

E. Sanctions

66. Under Article 41 of the Charter, the Security Council may call upon Member States to apply measures not involving the use of armed force in order to maintain or restore international peace and security. Such measures are commonly referred to as sanctions. This legal basis is recalled in order to underline that the purpose of sanctions is to modify the behaviour of a party that is threatening international peace and security and not to punish or otherwise exact retribution.

67. The Security Council's greatly increased use of this instrument has brought to light a number of difficulties, relating especially to the objectives of sanctions, the monitoring of their application and impact, and their unintended effects.

68. The objectives for which specific sanctions regimes were imposed have not always been clearly defined. Indeed they sometimes seem to change over time. This combination of imprecision and mutability makes it difficult for the Security Council to agree on when the objectives can be considered to have been achieved and sanctions can be lifted. While recognizing that the Council is a political body rather than a judicial organ, it is of great importance that when it decides to impose sanctions it should at the same time define objective criteria for determining that their purpose has been achieved. If general support for the use of sanctions as an effective instrument is to be maintained, care should be taken to avoid giving the impression that the purpose of imposing sanctions is punishment rather than the modification of political behaviour or that criteria are being changed in order to serve purposes other than those which motivated the original decision to impose sanctions.

69. Experience has been gained by the United Nations of how to monitor the application of sanctions and of the part regional organizations can in some cases play in this respect. However, the task is complicated by the reluctance of Governments, for reasons of sovereignty or economic self-interest, to accept the deployment of international monitors or the international investigation of alleged violations by themselves or their nationals. Measuring the impact of sanctions is even more difficult because of the inherent complexity of such measurement and because of restrictions on access to the target country.

70. Sanctions, as is generally recognized, are a blunt instrument. They raise the ethical question of whether suffering inflicted on vulnerable groups in the target country is a legitimate means of exerting pressure on political leaders whose behaviour is unlikely to be affected by the plight of their subjects. Sanctions also always have unintended or unwanted effects. They can complicate the work of humanitarian agencies by denying them certain categories of supplies and by obliging them to go through arduous procedures to obtain the necessary exemptions. They can conflict with the development objectives of the Organization and do long-term damage to the productive capacity of the target country. They can have a severe effect on other countries that are neighbours or major economic partners of the target country. They can also defeat their own purpose by provoking a patriotic response against the international community, symbolized by the United Nations, and by rallying the population behind the leaders whose behaviour the sanctions are intended to modify.

71. To state these ethical and practical considerations is not to call in question the need for sanctions in certain cases, but it illustrates the need to consider ways of alleviating the effects described. Two possibilities are proposed for Member States' consideration.

72. The first is to ensure that, whenever sanctions are imposed, provision is made to facilitate the work of humanitarian agencies, work that will be all the more needed as a result of the impact of sanctions on vulnerable groups. It is necessary, for instance, to avoid banning imports that are required by local health industries and to devise a fast track for the processing of applications for exemptions for humanitarian activities.

73. Secondly, there is an urgent need for action to respond to the expectations raised by Article 50 of the Charter. Sanctions are a measure taken collectively by the United Nations to maintain or restore international peace and security. The costs involved in their application, like other such costs (e.g. for peacemaking and peace-keeping activities), should be borne equitably by all Member States and not exclusively by the few who have the misfortune to be neighbours or major economic partners of the target country.

74. In "An Agenda for Peace" I proposed that States suffering collateral damage from the sanctions regimes should be entitled not only to consult the Security Council but also to have a realistic possibility of having their difficulties addressed. For that purpose I recommended that the Security Council devise a set of measures involving the international financial institutions and other components of the United Nations system that could be put in place to address the problem. In response, the Council asked me to seek the views of the heads of the international financial institutions. In their replies, the latter acknowledged the collateral effects of sanctions and expressed the desire to help countries in such situations, but they proposed that this should be done under existing mandates for the support of countries facing negative external shocks and consequent balance-of-payment difficulties. They did not agree that special provisions should be made.

75. In order to address all the above problems, I should like to go beyond the recommendation I made in 1992 and suggest the establishment of a mechanism to carry out the following five functions:

(a) To assess, at the request of the Security Council, and before sanctions are imposed, their potential impact on the target country and on third countries;

(b) To monitor application of the sanctions;

(c) To measure their effects in order to enable the Security Council to fine tune them with a view to maximizing their political impact and minimizing collateral damage;

(d) To ensure the delivery of humanitarian assistance to vulnerable groups;

(e) To explore ways of assisting Member States that are suffering collateral damage and to evaluate claims submitted by such States under Article 50.

76. Since the purpose of this mechanism would be to assist the Security Council, it would have to be located in the United Nations Secretariat. However, it should be empowered to utilize the expertise available throughout the United Nations system, in particular that of the Bretton Woods institutions. Member States will have to give the proposal their political support both at the United Nations and in the intergovernmental bodies of the agencies concerned if it is to be implemented effectively.

F. Enforcement action

77. One of the achievements of the Charter of the United Nations was to empower the Organization to take enforcement action against those responsible for threats to the peace, breaches of the peace or acts of aggression. However, neither the Security Council nor the Secretary-General at present has the capacity to deploy, direct, command and control operations for this purpose, except perhaps on a very limited scale. I believe that it is desirable in the long term that the United Nations develop such a capacity, but it would be folly to attempt to do so at the present time when the Organization is resource-starved and hard pressed to handle the less demanding peacemaking and peace-keeping responsibilities entrusted to it.

78. In 1950, the Security Council authorized a group of willing Member States to undertake enforcement action in the Korean peninsula. It did so again in 1990 in response to aggression against Kuwait. More recently, the Council has authorized groups of Member States to undertake enforcement action, if necessary, to create conditions for humanitarian relief operations in Somalia and Rwanda and to facilitate the restoration of democracy in Haiti.

79. In Bosnia and Herzegovina, the Security Council has authorized Member States, acting nationally or through regional arrangements, to use force to ensure compliance with its ban on military flights in that country's air space, to support the United Nations forces in the former Yugoslavia in the performance of their mandate, including defence of personnel who may be under attack, and to deter attacks against the safe areas. The Member States concerned decided to entrust those tasks to the North Atlantic Treaty Organization (NATO). Much effort has been required between the Secretariat and NATO to work out procedures for the coordination of this unprecedented collaboration. This is not surprising given the two organizations' very different mandates and approaches to the maintenance of peace and security. Of greater concern, as already mentioned, are the consequences of using force, other than for self-defence, in a peace-keeping context.

80. The experience of the last few years has demonstrated both the value that can be gained and the difficulties that can arise when the Security Council entrusts enforcement tasks to groups of Member States. On the positive side, this arrangement provides the Organization with an enforcement capacity it would not otherwise have and is greatly preferable to the unilateral use of force by

Member States without reference to the United Nations. On the other hand, the arrangement can have a negative impact on the Organization's stature and credibility. There is also the danger that the States concerned may claim international legitimacy and approval for forceful actions that were not in fact envisaged by the Security Council when it gave its authorization to them. Member States so authorized have in recent operations reported more fully and more regularly to the Security Council about their activities.

IV. COORDINATION

81. Just as the United Nations does not claim a monopoly of the instruments discussed above, neither can it alone apply them. All the efforts of the Security Council, the General Assembly and the Secretary-General to control and resolve conflicts need the cooperation and support of other players on the international stage: the Governments that constitute the United Nations membership, regional and non-governmental organizations, and the various funds, programmes, offices and agencies of the United Nations system itself. If United Nations efforts are to succeed, the roles of the various players need to be carefully coordinated in an integrated approach to human security.

82. Governments are central to all the activities discussed in the present position paper. It is they who authorize the activities and finance them. It is they who provide directly the vast majority of the personnel required, as well as most of the equipment. It is they who set the policies of the specialized agencies of the United Nations system and of the regional organizations. It is they whose continuing support, and, as necessary, intervention with the parties, is essential if the Secretary-General is to succeed in carrying out the mandates entrusted to him. It is they who are parties, or at least one of the parties, to each conflict the United Nations is trying to control and resolve.

83. A new trend in recent years has been the establishment of informal groups of Member States, created on an ad hoc basis to support the Secretary-General in the discharge of peacemaking and peace-keeping mandates entrusted to him. They are normally referred to as "Friends of the Secretary-General for ...". They have no formal mandate from the General Assembly or the Security Council and comprise States with a particular interest in the conflict in question. They have material and diplomatic resources that can be used to support the Secretary-General's efforts. Their value to him is as a sounding-board, as a source of ideas and comment and as a diplomatic instrument for bringing influence to bear on the parties.

84. This arrangement has been of value in a number of instances. It is nevertheless necessary to maintain a clear understanding of who is responsible for what. The Secretary-General has the mandate from the relevant intergovernmental body and must remain in the lead. The members of the "Friends" group have agreed to support the Secretary-General at his request. If they take initiatives not requested by the Secretary-General, there is a risk of duplication or overlapping of efforts, which can be exploited by recalcitrant parties. Such initiatives can also raise questions in the intergovernmental

body that expects the Secretary-General to retain responsibility for the mandate entrusted to him and to report to that body on his implementation of it.

85. As for regional organizations, Chapter VIII of the Charter defines the role they can play in the maintenance of peace and security. They have much to contribute. Since the Security Council Summit, the United Nations has extended considerably its experience of working with regional organizations in this field. On 1 August 1994, I convened a meeting in New York of the heads of a number of such organizations with which the United Nations had recently cooperated on the ground in peacemaking and peace-keeping. The meeting permitted a useful exchange of views and it is my intention to hold further meetings of this kind.

86. Cooperation between the United Nations and regional organizations takes a number of forms. At least five can be identified:

(a) Consultation: this has been well-established for some time. In some cases it is governed by formal agreements and reports are made to the General Assembly; in other cases it is less formal. The purpose is to exchange views on conflicts that both the United Nations and the regional organization may be trying to solve;

(b) Diplomatic support: the regional organization participates in the peacemaking activities of the United Nations and supports them by diplomatic initiatives (in a manner analogous to groups of "Friends" as described above) and/or by providing technical input, as the Organization for Security and Cooperation in Europe (OSCE) does, for instance, on constitutional issues relating to Abkhazia. In the same way, the United Nations can support the regional organization in its efforts (as it does for OSCE over Nagorny Karabakh);

(c) Operational support: the most developed example is the provision by NATO of air power to support the United Nations Protection Force (UNPROFOR) in the former Yugoslavia. For its part, the United Nations can provide technical advice to regional organizations that undertake peace-keeping operations of their own;

(d) Co-deployment: United Nations field missions have been deployed in conjunction with the Economic Community of West African States (ECOWAS) in Liberia and with the Commonwealth of Independent States (CIS) in Georgia. If those experiments succeed, they may herald a new division of labour between the United Nations and regional organizations, under which the regional organization carries the main burden but a small United Nations operation supports it and verifies that it is functioning in a manner consistent with positions adopted by the Security Council. The political, operational and financial aspects of the arrangement give rise to questions of some delicacy. Member States may wish at some stage to make an assessment, in the light of experience in Liberia and Georgia, of how this model might be followed in the future;

(e) Joint operations: the example is the United Nations Mission in Haiti, the staffing, direction and financing of which are shared between the United Nations and the Organization of American States (OAS). This arrangement has

worked, and it too is a possible model for the future that will need careful assessment.

87. The capacity of regional organizations for peacemaking and peace-keeping varies considerably. None of them has yet developed a capacity which matches that of the United Nations, though some have accumulated important experience in the field and others are developing rapidly. The United Nations is ready to help them in this respect when requested to do so and when resources permit. Given their varied capacity, the differences in their structures, mandates and decision-making processes and the variety of forms that cooperation with the United Nations is already taking, it would not be appropriate to try to establish a universal model for their relationship with the United Nations. Nevertheless it is possible to identify certain principles on which it should be based.

88. Such principles include:

(a) Agreed mechanisms for consultation should be established, but need not be formal;

(b) The primacy of the United Nations, as set out in the Charter, must be respected. In particular, regional organizations should not enter into arrangements that assume a level of United Nations support not yet submitted to or approved by its Member States. This is an area where close and early consultation is of great importance;

(c) The division of labour must be clearly defined and agreed in order to avoid overlap and institutional rivalry where the United Nations and a regional organization are both working on the same conflict. In such cases it is also particularly important to avoid a multiplicity of mediators;

(d) Consistency by members of regional organizations who are also Member States of the United Nations is needed in dealing with a common problem of interest to both organizations, for example, standards for peace-keeping operations.

89. Non-governmental organizations also play an important role in all United Nations activities discussed in the present paper. To date, 1,003 non-governmental organizations have been granted consultative status with the United Nations and many of them have accredited representatives at United Nations Headquarters in New York and/or the United Nations Office at Geneva. The changed nature of United Nations operations in the field has brought non-governmental organizations into a closer relationship with the United Nations, especially in the provision of humanitarian relief in conflict situations and in post-conflict peace-building. It has been necessary to devise procedures that do not compromise their non-governmental status but do ensure that their efforts are properly coordinated with those of the United Nations and its programmes, funds, offices and agencies. Non-governmental organizations have also had great success in mobilizing public support and funds for humanitarian relief in countries affected by international or domestic conflict.

90. Within the United Nations system there are three levels at which coordination is required: within the United Nations Secretariat; between United Nations Headquarters and the head offices of other funds, programmes, offices and agencies of the United Nations system; and in the field.

91. The multifunctional nature of both peace-keeping and peace-building has made it necessary to improve coordination within the Secretariat, so that the relevant departments function as an integrated whole under my authority and control. Proposals the Secretary-General makes to the General Assembly or the Security Council on peace and security issues need to be based on coordinated inputs from the Departments of Political Affairs, Peace-keeping Operations, Humanitarian Affairs and Administration and Management and others. Guidance to the field must similarly be coordinated, in order to ensure that chiefs of missions do not receive conflicting instructions from different authorities within the Secretariat.

92. In an international bureaucracy interdepartmental cooperation and coordination come even less naturally than they do in a national environment. It has required some effort to ensure that the above objectives are met. I have entrusted the main responsibility in this regard to my Task Force on United Nations Operations and to interdepartmental groups at the working level on each major conflict where the organization is playing a peacemaking or peace-keeping role.

93. Improved coordination is equally necessary within the United Nations system as a whole. The responsibilities involved in multifunctional peace-keeping operations and in peace-building transcend the competence and expertise of any one department, programme, fund, office or agency of the United Nations. Short-term programmes are needed for cease-fires, demobilization, humanitarian relief and refugee return; but it is the longer-term programmes that help rebuild societies and put them back on the path of development. Short-term and long-term programmes need to be planned and implemented in a coordinated way if they are to contribute to the consolidation of peace and development. The mechanism for ensuring a more effective and equitable application of sanctions, which I have recommended earlier in the present position paper, will equally require close coordination between a large number of players on the United Nations stage.

94. Such coordination has to date proved difficult to achieve. Each of the agencies concerned has its own intergovernmental legislative body and its own mandate. In the past, there also has been insufficient interaction, in both directions, between those responsible in the Secretariat for designing and implementing peacemaking, peace-keeping and peace-building activities and the international financial institutions, who often have an all-important say in making sure that the necessary resources are available.

95. As regards coordination in the field, the current practice when a peace-keeping operation is deployed is to entrust this task to a special representative of the Secretary-General. Cambodia, El Salvador and Mozambique are successful examples, not least because of the cooperation extended to my Special Representatives by the various other components of the United Nations system.

96. For my part, I shall maintain my efforts in the Administrative Committee on Coordination and in my bilateral relations with the executive heads of the various funds, programmes, offices and agencies to achieve better coordination within the United Nations system in the context of peace and security. Governments of Member States can support those efforts. Many of the problems of coordination arise from the mandates decreed for the agencies by discrete intergovernmental bodies. As such, they defy the capacity for inter-Secretariat coordination. I accordingly recommend that Governments instruct their representatives in the various intergovernmental bodies to ensure that proper coordination is recognized to be an essential condition for the Organization's success and that it is not made hostage to inter-institutional rivalry and competition.

V. FINANCIAL RESOURCES

97. None of the instruments discussed in the present paper can be used unless Governments provide the necessary financial resources. There is no other source of funds. The failure of Member States to pay their assessed contributions for activities they themselves have voted into being makes it impossible to carry out those activities to the standard expected. It also calls in question the credibility of those who have willed the ends but not the means - and who then criticize the United Nations for its failures. On 12 October 1994, I put to the Member States a package of proposals, ideas and questions on finance and budgetary procedures that I believe can contribute to a solution (see A/49/PV.28).

98. The financial crisis is particularly debilitating as regards peace-keeping. The shortage of funds, in particular for reconnaissance and planning, for the start-up of operations and for the recruitment and training of personnel imposes severe constraints on the Organization's ability to deploy, with the desired speed, newly approved operations. Peace-keeping is also afflicted by Member States' difficulties in providing troops, police and equipment on the scale required by the current volume of peace-keeping activity.

99. Meanwhile, there is continuing damage to the credibility of the Security Council and of the Organization as a whole when the Council adopts decisions that cannot be carried out because the necessary troops are not forthcoming. The continuing problems with regard to the safe areas in Bosnia and Herzegovina and the expansion of UNAMIR in response to genocide in Rwanda are cases in point. In the future it would be advisable to establish the availability of the necessary troops and equipment before it is decided to create a new peace-keeping operation or assign a new task to an existing one.

100. Peace-building is another activity that is critically dependent on Member States' readiness to make the necessary resources available. It can be a long-term process and expensive - except in comparison with the cost of peacemaking and peace-keeping if the conflict should recur. One lesson learned in recent years is that, in putting together the peace-building elements in a comprehensive settlement plan, the United Nations should consult the international financial institutions in good time to ensure that the cost of implementing the plan is taken into account in the design of the economic plans

of the Government concerned. The problems in this area are aggravated by many donors' reluctance to finance crucial elements such as the conversion of guerrilla movements into political parties, the creation of new police forces or the provision of credit for the purchase of land in "arms for land" programmes.

101. Compensation to Member States affected by sanctions on their neighbours or economic partners will also be possible only if the richer Member States recognize both the moral argument that such countries should not be expected to bear alone costs resulting from action collectively decided upon by the international community and the practical argument that such compensation is necessary to encourage those States to cooperate in applying decisions taken by the Security Council. I recognize that the sums involved will be large but I am convinced that they must be made available if the Council is to continue to rely on sanctions.

VI. CONCLUSION

102. The present position paper, submitted to the Member States at the opening of the United Nations fiftieth anniversary year, is intended to serve as a contribution to the continuing campaign to strengthen a common capacity to deal with threats to peace and security.

103. The times call for thinking afresh, for striving together and for creating new ways to overcome crises. This is because the different world that emerged when the cold war ceased is still a world not fully understood. The changed face of conflict today requires us to be perceptive, adaptive, creative and courageous, and to address simultaneously the immediate as well as the root causes of conflict, which all too often lie in the absence of economic opportunities and social inequities. Perhaps above all it requires a deeper commitment to cooperation and true multilateralism than humanity has ever achieved before.

104. This is why the pages of the present paper reiterate the need for hard decisions. As understanding grows of the challenges to peace and security, hard decisions, if postponed, will appear in retrospect as having been relatively easy when measured against the magnitude of tomorrow's troubles.

105. There is no reason for frustration or pessimism. More progress has been made in the past few years towards using the United Nations as it was designed to be used than many could ever have predicted. The call to decision should be a call to confidence and courage.

Notes

1/ Official Records of the General Assembly, Forty-seventh Session, Supplement No. 27 (A/47/27), appendix I.

2/ See The United Nations Disarmament Yearbook, vol. 5: 1980 (United Nations publication, Sales No. G.81.IX.4), appendix VII.

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HUMAN RIGHTS QUESTIONS: HUMAN RIGHTS SITUATIONS AND REPORTS OF SPECIAL RAPPORTEURS AND REPRESENTATIVES

SECURITY COUNCIL
Fiftieth year

Letter dated 9 January 1995 from the Chargé d'affaires a.i. of the Permanent Mission of Yugoslavia to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith the text of a statement of the Federal Ministry of Foreign Affairs of the Federal Republic of Yugoslavia concerning the statement on the situation in Kosovo made on 21 December 1994 by the Minister for Foreign Affairs of Hungary and Chairman-in-Office of the Organization for Security and Cooperation in Europe (A/49/813-S/1994/1445).

I should be grateful if you would have the present letter and its annex circulated as an official document of the General Assembly, under the items entitled "Cooperation between the United Nations and the Conference on Security and Cooperation in Europe" and "Human rights questions: human rights situations and reports of special rapporteurs and representatives", and of the Security Council.

(Signed) Dragomir DJOKIĆ
Ambassador
Chargé d'affaires a.i.

ANNEX

Statement made on 5 January 1995 by the Federal Ministry of Foreign Affairs of Yugoslavia

On 21 December 1994, the Minister for Foreign Affairs of Hungary, László Kovács, in his capacity of Chairman-in-Office of the Organization for Security and Cooperation in Europe (OSCE), made a statement on the situation in Kosovo (A/49/813-S/1994/1445).

This uncalled-for statement constitutes an abuse of the human rights theme it purportedly relates to, as well as an abuse of the status of the Chairman-in-Office of OSCE. It seeks to misrepresent the arrest of members of an illegal paramilitary and para-police organization in Kosovo and Metohija, created for the purpose of armed and forcible secession of a part of the Federal Republic of Yugoslavia, as "repression" and the "violation of basic human rights and of the fundamental norms of CSCE". In this connection, reference is made to some "events" in Raška and Vojvodina, without any explanation as to what they could be related to. This unargumented statement constitutes direct interference into internal affairs and an attempt to internationalize an internal question of the Federal Republic of Yugoslavia under the pretext of concern for human rights.

The Minister for Foreign Affairs of Hungary should know much better the actual situation in the Federal Republic of Yugoslavia. In that case, his statement, in line with the previous statements by the Government of Hungary, would reflect a greater degree of good intention towards neighbouring Yugoslavia. It would be normal to expect from the Foreign Minister that he supplement his knowledge with facts before making such categorical statements and before displaying such concern for, or even requesting the release of, "unjustly detained persons". His function also implies the knowledge that the Yugoslav Constitution and laws guarantee human rights and freedoms to all members of national minorities in accordance with valid European and world standards. The authorities of the Federal Republic of Yugoslavia have also been exerting maximum efforts in the present conditions of unjust sanctions to ensure that all Yugoslav citizens, irrespective of their nationality, exercise all their constitutionally guaranteed rights and obligations.

It comes therefore as a surprise that a legitimate action by the authorities of the Federal Republic of Yugoslavia, taken in protection of the constitutional order, which is what any country would do in a similar situation, is presented without any foundation as a violation of human rights. No State upholding the rule of law will tolerate the establishment and activity in its territory of illegal paramilitary and para-police forces, least of all activity directed towards the forcible destruction of its democratic constitutional order.

No matter in which capacity Mr. Kovács made the statement, the tone and wording employed in an attempt to impose unconditional demands on a sovereign State is absolutely unacceptable. On the other hand, it does not contribute to good-neighbourly relations between the Federal Republic of Yugoslavia and Hungary. Instead of requests for the "unconditional return of an OSCE mission

of longer duration", it was to be expected from Foreign Minister Kovács, in his capacity of Chairman-in-Office of OSCE, that he would launch an initiative for the full-fledged return of the Federal Republic of Yugoslavia to OSCE, whereby the door would be opened to new negotiations on the resumption of OSCE missions similar to those whose mandate has expired. The return to OSCE of the Federal Republic of Yugoslavia, one of its founders, is not only in the interest of the Federal Republic of Yugoslavia and Hungary, but also of security, peace and cooperation in Europe.

As a founding OSCE participating State, the Federal Republic of Yugoslavia remains committed to all its principles. The Federal Republic of Yugoslavia is lastingly determined to develop good-neighbourly cooperation on the basis of equality, full mutual respect and non-interference, which is in the interest of all countries of the region and Europe. Such an attitude is expected from all neighbouring and OSCE participating States.

We therefore call upon Hungary to accord its activities in international forums and organizations with its declared orientation and expressed interest to develop with the Federal Republic of Yugoslavia good-neighbourly cooperation and relations, confirmed during bilateral talks, including the meeting between the President of the Federal Republic of Yugoslavia, Mr. Zoran Lilić, and the President of Hungary, Mr. Arpad Goencz.

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10 January 1995

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Fiftieth session
MAINTENANCE OF INTERNATIONAL
SECURITY

SECURITY COUNCIL
Fiftieth year

Letter dated 10 January 1995 from the Chargé d'affaires a.i. of the Permanent Mission of Yugoslavia to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith the text of a statement by the Council of Citizens' Committee for Foreign Policy and Foreign Economic Relations and the Council of the Republics' Committee for Foreign Policy and Foreign Economic Relations of the Federal Assembly of the Federal Republic of Yugoslavia (see annex).

I should be grateful if you would have the present letter and its annex circulated as an official document of the General Assembly, under the item entitled "Maintenance of international security", and of the Security Council.

(Signed) Dragomir DJOKIĆ
Ambassador
Chargé d'affaires a.i.

ANNEX

Statement made on 6 January 1995 by the Council of Citizens' Committee for Foreign Policy and Foreign Economic Relations and the Council of the Republics' Committee for Foreign Policy and Foreign Economic Relations of the Federal Assembly of Yugoslavia concerning the declaration on the former Bosnia and Herzegovina adopted by the Turkish Grand National Assembly

The Council of Citizens' Committee for Foreign Policy and Foreign Economic Relations and the Council of the Republics' Committee for Foreign Policy and Foreign Economic Relations of the Federal Assembly of the Federal Republic of Yugoslavia as well as the entire Yugoslav public received with indignation and great dissatisfaction the declaration on the former Bosnia and Herzegovina adopted by the Turkish Grand National Assembly on 1 December 1994, recently circulated as the annex to document A/49/795-S/1994/1428 of 19 December 1994. By this explicitly anti-Yugoslav and anti-Serb document, Turkey has confirmed once again its biased approach to the settlement of the Yugoslav crisis and particularly to the conflict in this former Yugoslav republic.

The declaration of the Turkish Grand National Assembly demonstrates that Turkey is persistent in its unfounded and militant policy, based on the fiction of "Serbian aggression", abandoned by the most important international figures who have assessed that a civil war was at stake. Bosnian Serbs have been living in the former Bosnia and Herzegovina for centuries, constituting the majority population, they were a constituent people and today they account for more than one third of the population. It is obvious that Serbs cannot be aggressors against their own country. The conflict broke out because, contrary to the provisions on the consensus of the three constituent peoples of the Constitution of the former Bosnia and Herzegovina, and with the support of foreign entities, attempts were made to impose the concept of unitary constitutional order under which the Serb people would become a national minority and be forced to live under Muslim domination. Turkey was among the first countries to spearhead the support and to recognize the independence of such a Bosnia and Herzegovina.

By its one-sided approach, Turkey objectively encourages the war option, which makes it increasingly isolated because of the growing awareness in the world that a just and lasting solution in the former Bosnia and Herzegovina can be reached only by political means, on the basis of equal respect of the interests of all three parties, which the Federal Republic of Yugoslavia has been consistently advocating from the very outset of the crisis. By its position, which essentially undermines the peace efforts and encourages instability in the region, Turkey has disqualified itself as a factor in the peaceful settlement of the crisis. Thereby, the credibility of its participation in the United Nations Protection Force (UNPROFOR) and the Coordination Committee of the Conference on the Former Yugoslavia has been brought into question.

The Turkish Grand National Assembly calls for the protection of "Bosnian people", ignoring the fact that there neither was a Bosnian nation nor "Bosnian people" in the former Bosnia and Herzegovina, but three equal, constituent

peoples. At the same time, the fact that the Turkish Assembly has not requested protection for the other two peoples in the former Bosnia and Herzegovina is a gross discrimination on the basis of ethnic origin and religion in breach of the Charter of the United Nations and other relevant United Nations acts and the basic principles of the Organization for Security and Cooperation in Europe. This illustrates, inter alia, the Greater Turkish expansionist goals and dreams of the return of Turkey to the Balkans. Along these lines too are the statements made at the time by the highest Turkish personalities on the "Turkish world from the Adriatic Sea to the Great Wall of China".

The Turkish Grand National Assembly has been closing its eyes to the numerous examples of flagrant violation of human rights in Turkey itself, particularly to the internal war of the Turkish Army against the Kurds, who are denied fundamental national and political rights. If Turkey wishes to qualify itself morally to call on others and to teach them lessons, it must first resolve its own problems in a democratic way.

By pursuing its anti-Yugoslav and anti-Serb policy, continually advocating the use of force against the Serb people and interfering in the internal affairs of the Federal Republic of Yugoslavia, Turkey has brought its relations with Yugoslavia to the lowest point this century, endangering their very basis.

From the outset of the Yugoslav crisis, the Federal Republic of Yugoslavia has been consistently committed to a peaceful and political settlement as the only realistic approach. This approach leads to the stabilization of the situation not only in the territory of the former Yugoslavia, but of the entire region, which is in the interest of all Balkan countries.

The Federal Republic of Yugoslavia has a sincere and lasting interest in dialogue, normalization of relations and development of cooperation with Turkey, on the basis of equality and mutual respect. To that end, Turkey should eliminate the obstacles and adopt a more balanced position as regards the Yugoslav crisis and the situation in the former Bosnia and Herzegovina, cease its interference in the internal affairs of the Federal Republic of Yugoslavia by supporting the separatists in Kosovo and Metohija and Raška, and put an end to the insulting anti-Yugoslav and anti-Serb campaign based on fabrications.

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TERRITORIES OF CROATIA

SECURITY COUNCIL
Fiftieth year

Letter dated 9 January 1995 from the Permanent Representative of Croatia to the United Nations addressed to the Secretary-General

In addition to my previous letters dated 5 October, 9 November and 5 December 1994 (A/49/473-S/1994/1129, A/49/655-S/1994/1272 and A/49/754-S/1994/1379 respectively), I have the honour to refer to your letter dated 4 January 1995 addressed to the President of the Security Council (S/1995/6) and its annex.

The latter report, although similar to previous reports, is to date the most unfortunate, in particular regarding the Co-Chairmen's interpretation of the standing Security Council resolution 820 (1993), in its paragraph 12. We would like to reiterate that resolution 820 (1993) remains in force, in spite of the failed attempt to reconfirm the applicability of some of its relevant provisions, due to the veto cast by a permanent member of the Security Council on 2 December 1994. The Co-Chairmen note that "some comments have been made about the relevance of Security Council resolution 820 (1993) ... to the activities of the Mission", in reference to paragraph 12 of resolution 820 (1993), which states:

> Decides that import to, export from and transshipment through the United Nations Protected Areas in the Republic of Croatia and those areas of the Republic of Bosnia and Herzegovina under the control of Bosnian Serb forces, with the exception of essential humanitarian supplies including medical supplies and foodstuffs distributed by international humanitarian agencies, shall be permitted only with proper authorization from the Government of the Republic of Croatia or the Government of the Republic of Bosnia and Herzegovina, respectively."

From this clear and unambiguous language of the Security Council, the International Conference on the Former Yugoslavia Mission has concluded the following:

> "Paragraph 12 of resolution 820 (1993) empowers the Government of the Republic of Croatia to control authorizations for imports to, exports from and transshipments through the United Nations Protected Areas (UNPAs) in the Republic of Croatia only for the purpose of ensuring that no goods prohibited in respect of the Federal Republic of Yugoslavia (Serbia and Montenegro) by that resolution or by resolutions 757 (1992) and 787 (1992) are imported to, exported from or transshipped through those areas of the Republic of Bosnia and Herzegovina under the control of the Bosnian Serb forces without proper authorization from the Government of Bosnia and Herzegovina." (S/1994/6, annex, para. 6)

We wish to emphasize that it is solely within the sovereign rights of the Croatian Government - notwithstanding the provisions of Security Council resolutions 757 (1992), 760 (1992), 787 (1992) and 820 (1993) against the "Federal Republic of Yugoslavia (Serbia and Montenegro)" - to decide which goods are to be imported to, exported from or transshipped through these parts of Croatia, if it is assured that by no means the said goods could be diverted to the territory of the "Federal Republic of Yugoslavia (Serbia and Montenegro)" or the parts of the Republic of Bosnia and Herzegovina under the control of the Bosnian Serbs, and against the provisions of resolution 943 (1994).

Moreover, I should like to recall that the Security Council adopted the language of paragraph 12 of resolution 820 (1993) with the sole purpose of reiterating the sovereignty of the Republic of Croatia over its entire territory and within its internationally recognized borders. It was never the intention of my Government to isolate the local population living in the occupied territories, or to deprive them of their essentials. Our signature to the Agreement of 2 December 1994 reaffirms that commitment. However, there is not a single instance recorded where the local Serbs from the occupied territories came forward with the request for export, import or transshipment, in the 20 months since the adoption of resolution 820 (1993) and the appropriate internal legislation of Croatia.

Further, my Government finds outrageous the statement in paragraph 7 of the Co-Chairmen's report that they facilitated the supply of fuel to the Croatian Serbs in order to prevent them from being "thrown ... into the arms of the Bosnian Serbs", while the same oil provided by the International Conference on the Former Yugoslavia monitoring Mission enabled them to engage and remain engaged in most serious attacks on the United Nations safe area of Bihać, alongside their brethren from Bosnia and Herzegovina. We would like to emphasize that the policy of buying the positive attitude of the Serbs by providing them with fuel has proved short-sighted and harmful to the peace process.

In one communication, the Co-Chairman elaborated on the question of oil shipments. He believed that the fact that the Security Council could put an end to his illegal arrangements would give my Government a dangerous stranglehold on all supplies that would be allowed to enter the UNPAs, expressing his suspicion towards Croatia wielding such power. My Government feels that this attitude and actions of the Co-Chairman are most seriously undermining the present delicate stage of negotiations. The solution is in the imminent reintegration of the

occupied territories, where the next step in this regard has to be a joint oil company as provided by the Agreement of 2 December 1994.

My Government would like to reiterate once again that the occupied territories of Croatia (consisting of parts of the UNPAs, the so-called "pink zones" and "blue zones") are exactly that: occupied parts of the independent and sovereign territory of the Republic of Croatia. No part of the Republic of Croatia is subjected or has ever been subjected to internationally imposed economic sanctions.

The Republic of Croatia shall draw the appropriate conclusions from the assessment of the policies of the International Conference on the Former Yugoslavia monitoring Mission and the International Conference on the Former Yugoslavia in general, and their impact on the peace process in the former Yugoslavia.

I would be grateful if you would have the present letter circulated as a document of the fiftieth session of the General Assembly under the agenda item entitled "The situation in the occupied territories of Croatia", and of the Security Council.

(Signed) Mario NOBILO
Permanent Representative

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THE SITUATION IN THE OCCUPIED
TERRITORIES OF CROATIA

SECURITY COUNCIL
Fiftieth year

Letter dated 12 January 1995 from the Permanent Representative of Croatia to the United Nations addressed to the Secretary-General

I have the honour to enclose herewith the letter dated 12 January 1995 from the President of the Republic of Croatia, Dr. Franjo Tudjman, addressed to you.

I would kindly request your assistance in distributing the present letter and its annex as a document of the fiftieth session of the General Assembly, under the agenda item entitled "The situation in the occupied territories of Croatia", and of the Security Council.

(Signed) Mario NOBILO
Ambassador
Permanent Representative

ANNEX

Letter dated 12 January 1995 from the President of the Republic of Croatia to the Secretary-General

The ongoing crisis in south-eastern Europe, started by the aggression of the Yugoslav Communist Army and of Serbia and Montenegro, following the dissolution of the former Socialist Federal Republic of Yugoslavia, against Croatia and Bosnia and Herzegovina, has become a grave security threat to the whole region. In its progress the crisis has disrupted international peace and paralysed numerous international forums: the United Nations, the European Union, the Organization for Security and Cooperation in Europe, the North Atlantic Treaty Organization, and so forth. The unspeakable crimes committed against humanity and the great suffering of millions of people have been putting an ever-increasing strain on international institutions and humanitarian organizations.

The international community, including the United Nations, has been involved in attempts to resolve the crisis from its outbreak. The Vance Plan and the mission of the United Nations Protection Force (UNPROFOR) had positive effects on the situation in the beginning. UNPROFOR and the Office of the United Nations High Commissioner for Refugees (UNHCR), as well as other humanitarian organizations, have made significant contributions in respect of humanitarian needs in Croatia. UNPROFOR played an important role in the withdrawal of the Yugoslav People's Army (JNA) from Croatia (although on that occasion JNA left its armament to the local Serb insurgents). UNPROFOR's arrival signified an end to large-scale hostilities in Croatia. During its engagement more than 50 of its members have lost their lives and more than 500 have been wounded while valiantly carrying out their duties in Croatia. Croatia will always remain grateful and will remember their ultimate sacrifice and the loss to their families.

Despite its endeavours, UNPROFOR has been unable to implement the most important operative provisions of the Vance Plan and subsequent Security Council resolutions, including the latest, resolution 947 (1994). The key provisions of the Vance Plan (resolution 740 (1992), preceded by resolution 721 (1991)) included: the demilitarization of the United Nations Protected Areas (UNPAs) (i.e. disarming and disbanding of rebel Serb units); the establishment of the local police force (with only side-arms) in a proportion reflecting the national composition of the population which lived there before the hostilities, under civilian United Nations police monitors; the deployment of military observers in parts of Bosnia and Herzegovina adjacent to Croatia; and the return of displaced persons to their homes. None of these provisions have been implemented. Moreover, a critically important element of the peace process, the control of Croatia's international border, provided for by resolution 769 (1992), has not been enforced.

As the previous mandate of UNPROFOR was about to expire, you came to the conclusion, in your report to the Security Council of 17 September 1994 (S/1994/1067), that the Vance Plan and all subsequent resolutions had not been implemented because of the opposition of rebel Serbs in UNPAs, with the

exception that (notwithstanding frequent violations) armed hostilities had ceased. You further concluded that UNPROFOR was in no position to discharge its responsibilities and meet the demands justifiably made by Croatia, because it lacked the required forces and resources, and that such a stalemate contributed to sustaining the unsatisfactory status quo.

The situation has not changed at all since then. The responsibility still rests with the Government of the Federal Republic of Yugoslavia (Serbia and Montenegro) and its proxies in the occupied territories of Croatia. The Belgrade Government and the local Serb authorities in Knin have accepted only some minor provisions of the Security Council resolutions. They continue to reject any decisive measures outlined by the Security Council and the General Assembly aimed at reintegrating the occupied territories into Croatia. On the contrary, the process of integrating the occupied territories of Croatia into the political, military, legal and administrative system of the Federal Republic of Yugoslavia (Serbia and Montenegro) continues despite General Assembly resolution 49/43 of 9 December 1994 declaring that the UNPAs are de facto occupied territories of the Republic of Croatia.

In the two years of the presence of UNPROFOR in Croatia, the process of ethnic cleansing of the Croats and non-Serbs in the occupied territories has been completed. Before the arrival of UNPROFOR, Serb insurgents, aided by JNA, expelled (ethnically cleansed) from the occupied Territories 390,000 non-Serb residents (Croats, Hungarians, Ruthenians, Czechs, Slovaks, etc.) and killed many thousands at the same time. Some 600 Croats have been killed and 12,000 of them forcefully expelled since UNPROFOR has been entrusted with protection of these territories. Plunder of Croatian wealth and natural resources, as well as destruction of property, have continued. Moreover, the occupied territories of Croatia have been used for constant attacks on other parts of Croatia and even Bosnia and Herzegovina. The international community has recently been aghast and scandalized when the United Nations Safe Area of Bihać in neighbouring Bosnia and Herzegovina has been, unchallenged, attacked by Serb insurgents from UNPAs. These attacks by the UNPA Serbian forces continue even today, despite the general cease-fire agreement in Bosnia and Herzegovina, in gross violation of all international norms.

Croatia has demonstrated and exercised the highest degree of goodwill, cooperation and restraint during the past two difficult years. Croatia has even accepted considerable modifications to the Vance Plan, such as the establishment of the "pink zones" and the "blue lines", the latter being an element of the Zagreb Cease-fire Agreement of 29 March 1994, which has been grossly violated, most blatantly so through the coordinated offensive and aggression on Bihać by the Serbs from the occupied territories of Croatia.

The Economic Agreements signed on 2 December 1994, which have to be viewed as yet another clear proof of Croatia's full readiness to proceed with its programme of peaceful reintegration of the occupied territories, are not being implemented except with respect to the opening of the highway in UNPA West, but even that has not been done pursuant to the Agreement. Less than one tenth of these Agreements have been implemented so far, with rather slim chances for real further progress, because local Serbs are interpreting the resolutions and

decisions of the United Nations, and the Economic Agreements, as allowing them to secede from Croatia.

Croatia finds the present situation in the occupied territories wholly unacceptable. Moreover, given the present inefficient UNPROFOR mission, Croatia finds the continued presence of UNPROFOR in the occupied territories to be significantly counterproductive to the peace process. The Serb intransigence and UNPROFOR's reserve are de facto allowing and promoting occupation of parts of Croatia's territory. The "freezing" of a negative status quo is unacceptable to the Government of Croatia.

The Parliament of the Republic of Croatia, by its resolution of 23 September 1994, decided that the mandate of UNPROFOR in Croatia would be conditionally extended for a period of 100 days, following its expiration on 30 September, only if specific steps were undertaken and results achieved during that period.

On the basis of the aforementioned and Croatia's overall experience during the past two years, I can only conclude that, although UNPROFOR has played an important role in stopping violence and major conflicts in Croatia, it is an indisputable fact that the present character of the UNPROFOR mission does not provide conditions necessary for establishing lasting peace and order in the Republic of Croatia, a sovereign State Member of the United Nations.

Therefore, as the President of the Republic of Croatia, I have the honour to inform you that the UNPROFOR mandate is hereby terminated effective 31 March 1995 in accordance with Security Council resolution 947 (1994).

The Government of Croatia will immediately contact your Special Representative, Mr. Y. Akashi, and will discuss with him all the questions regarding the withdrawal of UNPROFOR forces. We hope it will be accomplished in a dignified, proper and efficient way till the end of the mandate or no later than three months after the expiry of the mandate.

Croatia is also prepared to conclude with the United Nations an agreement on continued logistic assistance and support for UNPROFOR operations in the Republic of Bosnia and Herzegovina, including the continued and uninterrupted functioning of the UNPROFOR headquarters in Zagreb. In both aspects the United Nations can fully count and rely on the continued support and assistance of the appropriate Croatian governmental institutions.

The termination of the UNPROFOR mandate will not put an end to the negotiations; on the contrary, it should provide a new impetus for their more efficient outcome. The Republic of Croatia remains committed to its long-standing policy of peaceful reintegration of its occupied territories and continues to offer to all Serbs in Croatia cultural autonomy and the highest level of local autonomy in the counties in which the Serbs constituted the majority according to the pre-war census. Full respect of all human rights, and especially minority rights, can be observed and monitored by appropriate representatives of the international community.

Croatia is also prepared to intensify the negotiating process with the Belgrade authorities leading to mutual recognition within internationally recognized borders. It is, however, our most determined demand that the sanctions against the Belgrade regime and Bosnian Serbs should not be suspended before the recognition of Croatia within its internationally recognized borders by Belgrade, as a prerequisite for the peaceful reintegration of occupied parts of Croatia.

Should the negotiations with local Serb authorities be successful, Croatia is willing to reopen the discussion on establishing appropriate implementation and international monitoring of confidence-building mechanisms.

The Republic of Croatia remains deeply grateful and indebted to the thousands of UNPROFOR men and women who have served honourably in Croatia, to you, to the Security Council, to the many UNPROFOR troop-contributing countries and to all Member States that have financed and supported the present peace-keeping operation in Croatia.

Our decision should not be misunderstood under any circumstances. Croatia remains fully committed to the interests of the international community focused on peaceful establishment of a new international order in the region, and to its responsibility therein. The international community should continue to count on Croatia in this regard.

(Signed) Franjo TUDJMAN
President of the Republic of Croatia

UNITED NATIONS **A**

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17 January 1995
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Fiftieth session

ESTABLISHMENT OF A NUCLEAR-WEAPON-FREE ZONE IN THE REGION OF THE MIDDLE EAST

GENERAL AND COMPLETE DISARMAMENT

STRENGTHENING OF SECURITY AND COOPERATION IN THE MEDITERRANEAN REGION

FINAL TEXT OF A TREATY ON AN AFRICAN NUCLEAR-WEAPON-FREE ZONE

Letter dated 16 January 1995 from the Permanent Representative of Algeria to the United Nations addressed to the Secretary-General

I have the honour to transmit to you herewith the text of the communiqué from the spokesman for the Ministry of Foreign Affairs issued in Algiers on 12 January 1995 following the depositing of the instruments of accession by Algeria to the Treaty on the Non-Proliferation of Nuclear Weapons simultaneously with the depositary States of the Treaty (see annex).

I should be grateful if you would have the text of this letter and its annex circulated as an official document of the General Assembly under the agenda items entitled "Establishment of a nuclear-weapon-free zone in the region of the Middle East", "General and complete disarmament", "Strengthening of security and cooperation in the Mediterranean region" and "Final text of a treaty on an African nuclear-weapon-free zone".

(Signed) Ramtane LAMAMRA
Permanent Representative

95-01509 (E) 180195 180195 190195

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ANNEX

Communiqué issued on 12 January 1995 by the Ministry of Foreign Affairs of Algeria

On this day, 12 January 1995, Algeria has deposited the instruments of accession to the Treaty on the Non-Proliferation of Nuclear Weapons simultaneously in London, Moscow and Washington, the capitals of the depositary States of the Treaty.

Through this act, which is part of a consistent approach to all the questions of disarmament and non-proliferation, Algeria thus confirms its unequivocal commitment in favour of the peaceful use of atomic energy and its determination to continue to make its contribution to the multilateral task of general and complete disarmament.

In so doing, Algeria remains convinced of the need for all States to adhere to the Treaty on the Non-Proliferation of Nuclear Weapons and make their nuclear installations subject to the safeguards of the International Atomic Energy Agency.

Algeria also remains confident that the obligations under the Treaty with regard to guarantees for the non-nuclear-weapon States and in the field of the transfer of technology will speedily lead to concrete measures to ensure the requisite universality of the Treaty.

In this spirit, Algeria will not fail, at the forthcoming Review and Extension Conference for the Treaty on the Non-Proliferation of Nuclear Weapons, to work, in its new capacity as a State party, to ensure that the Treaty becomes an effective instrument for promoting collective security and international cooperation.

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GENERAL ASSEMBLY
Fiftieth session
THE SITUATION IN THE OCCUPIED
TERRITORIES OF CROATIA

SECURITY COUNCIL
Fiftieth year

Letter dated 17 January 1995 from the Chargé d'affaires a.i.
of the Permanent Mission of Yugoslavia to the United Nations
addressed to the Secretary-General

I have the honour to transmit, enclosed herewith, a letter from His Excellency Dr. Radoje Kontic, Prime Minister of the Federal Republic of Yugoslavia, addressed to you (see annex).

I should be grateful if you would have the present letter and its annex circulated as an official document of the General Assembly under the item entitled "The situation in the occupied territories of Croatia", and of the Security Council.

(Signed) Dragomir DJOKIĆ
Ambassador
Chargé d'affaires a.i.

ANNEX

Letter dated 17 January 1995 from the Prime Minister of the Federal Republic of Yugoslavia to the Secretary-General

The letter dated 12 January 1995 from President Tudjman addressed to you (A/50/64-S/1995/28) has caused the grave concern of the Government of the Federal Republic of Yugoslavia over the decision of the Croatian authorities not to renew the mandate of the United Nations Protection Force (UNPROFOR) after 31 March 1995. This unilateral decision is contrary to the positive results achieved in the past negotiations between the legitimate representatives of Knin and Zagreb. This decision threatens the peace process and can lead to the escalation of tensions and uncertainty, which is not favourable to the negotiating climate.

The Government of Yugoslavia would like to recall that UNPROFOR was sent to the United Nations Protected Areas (UNPAs) to protect personal security and maintain peace, and wishes to point out that these reasons continue to exist. The Federal Republic of Yugoslavia assesses positively the past activities of UNPROFOR in the preservation of peace, and considers that its presence is still necessary.

The Government of Yugoslavia appeals to the United Nations to call on Croatia to re-examine its decision in accordance with the previous formal assurances that UNPROFOR would remain as long as there was danger to the security of people and peace, and that the world Organization would decide independently and on the basis of merit on the duration of the UNPROFOR mandate.

The Government of Yugoslavia emphasizes once again that the problems of the crisis in former Yugoslavia can be solved successfully only through negotiations and peacefully. Therefore, we have always supported the affirmation of the negotiating process and the unavoidable role of the United Nations. This role includes also the presence of UNPROFOR in the regions of possible military conflicts.

I take this opportunity to express our full support for your efforts to find a just solution and lasting peace in the former Yugoslavia.

(Signed) Radoje KONTIĆ
Prime Minister of the
Federal Republic of Yugoslavia

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~~S/1995/64~~
23 January 1995

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Fiftieth session
MEASURES TO ELIMINATE
INTERNATIONAL TERRORISM

SECURITY COUNCIL
Fiftieth year

Letter dated 23 January 1995 from the Permanent Representative of Israel to the United Nations addressed to the Secretary-General

I wish to draw your attention to the grave act of terrorism committed in Israel by Palestinian terrorists yesterday, in which 19 Israeli citizens were killed. The following are the details of the attack:

(a) On 22 January 1995, at approximately 9.20 a.m., Palestinian terrorists detonated two explosive devices, timed several minutes apart, at a crowded bus stop at the Sharon Junction (Beit Lid), in central Israel. Rescuers assisting the victims of the first explosion themselves became victims as the terrorists set off the second explosion;

(b) The attack killed 19 people, and wounded 66, 13 of whom are listed in critical condition;

(c) The fundamentalist organization Islamic Jihad claimed responsibility for the attack, which it said was carried out by two of its members from the Gaza Strip. At the houses of the perpetrators in the Gaza Strip, thousands of supporters of Islamic Jihad gathered openly to express delight at the killings.

Since the signing the Declaration of Principles with the Palestine Liberation Organization (PLO) on 13 September 1993, 110 Israelis have been killed by Palestinian terrorists in 49 separate attacks.

These attacks were committed by Islamic fundamentalist terrorists affiliated with organizations that receive support and guidance from certain States in the region. These, no less than the perpetrators themselves, bear responsibility for the violence and should be held accountable.

The grievous act of violence committed yesterday demands an unequivocal condemnation on the part of the international community. Israel calls upon the parties in the region and the entire international community to cooperate in combating all forms of terrorism.

The fundamentalists are attempting to undermine the progress towards peace being achieved in the region. To achieve their ends, they rely on indiscriminate violence and bloodshed. The international community must not permit them to determine the fate of the peoples and future generations of the Middle East.

I should be grateful if you would have this letter circulated as an official document of the General Assembly, under the item entitled "Measures to eliminate international terrorism", and of the Security Council.

(Signed) Gad YAACOBI
Ambassador
Permanent Representative of Israel
to the United Nations

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23 January 1995
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Fiftieth session

QUESTION OF THE COMORIAN ISLAND OF MAYOTTE

Letter dated 20 January 1995 from the Permanent Representative of the Comoros to the United Nations addressed to the Secretary-General

On instructions from my Government, I have the honour to inform you of the communiqué adopted by the Council of Ministers on 18 January 1995 concerning the reaction of the Government of the Comoros to the decision of the French authorities to require Comorian inhabitants of the other three islands of the Comoros to possess a visa for entry to Mayotte.

I should be grateful if you would arrange for the text of this communiqué to be circulated as a document of the General Assembly under the agenda item entitled "Question of the Comorian island of Mayotte".

(Signed) Mohamed A. DJIMBANAO
Ambassador
Permanent Representative

95-01970 (E) 240195 240195 250195

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ANNEX

Communiqué adopted by the Council of Ministers of the Comoros on 18 January 1995

At its weekly meeting today, Wednesday, 18 January 1995, the Council of Ministers took note of the decision of the French Government to establish a regime requiring inhabitants of the other three islands of the Comoros to possess a visa for entry to Mayotte.

The Council expresses its concern and shock at this step, announced by the Prime Minister of France on 24 November 1994.

The Council of Ministers reaffirms the position of the Government of the Comoros, as expressed unambiguously, forcefully and resolutely by the Minister for Foreign Affairs and Cooperation at the forty-ninth session of the United Nations General Assembly.

Considering that the establishment of an entry visa regime for Mayotte reflects the deliberate intention of the French authorities to separate the Comorian island of Mayotte from the geographical unit of which it is a natural part, the Government of the Comoros strongly condemns this initiative, which is inconsistent with a series of statements made by France's highest authorities, in particular, the statements of the President of the Republic, Mr. François Mitterrand, and the Permanent Representative of France to the United Nations, expressing the willingness to seek a negotiated settlement and to maintain the free movement of goods and persons between Mayotte and the other three islands of the Comoros.

Aware of the gravity of the situation and the consequences to which it may give rise, the Government intends to act quickly to consult all the vital forces of the nation with the aim of finding appropriate solutions, since the problem of the territorial integrity of our country concerns each and every Comorian.

In this trying situation, the Government is also seeking the support of the Federal Assembly, which will be convened in special session to consider this matter.